

FISCAL NOTE

HB 3318 - SB 3298

March 11, 2004

SUMMARY OF BILL:

- Requires all agreements to establish higher education foundations be in writing and filed with the respective governing board and THEC. All books, papers, records, and correspondence of a foundation created for the benefit of a college or university would be public records except information relating to donors who have requested anonymity and work papers and correspondence with any person soliciting a donation for the foundation.
- Requires officers, board members, employees, and contractors of a foundation to disclose any business interests related to the foundation. The disclosure would be made in writing and would be entered into the minutes of the foundation and governing board.
- Prohibits any person with a conflict of interest from participation in any discussion or activity by the foundation in connection with the business or contract in which they have a financial stake.
- Requires the board of directors of a foundation that was created for the benefit of a college or university to create a code of ethics that would govern the conduct of all members of the board and foundation employees. The code of ethics shall be filed with the governing board of the college or university that the foundation serves.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant

Assumes any cost associated with the preparation and distribution of a code of ethics would be not significant and could be handled within existing resources.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director